

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

CHARLES K. EDMUNDS JR.,

Plaintiff,

vs.

NANCY A. BERRYHILL, Acting  
Commissioner of Social Security  
Administration,<sup>1</sup>

Defendant.

CV 16-110-BLG-TJC

**ORDER ALLOWING  
ATTORNEYS FEES**

The parties have filed a Joint Stipulation for Attorney Fees Under the Equal Access to Justice Act (“EAJA”). (Doc. 23.) Accordingly, **IT IS HEREBY ORDERED** that Plaintiff, Charles K. Edmunds, Jr., is awarded attorney fees under the EAJA in the amount of \$6,400.00. 28 U.S.C. § 2412(d). **IT IS FURTHER ORDERED** that if, after receiving the Court’s EAJA fee order, the Commissioner determines upon effectuation of the Court’s EAJA fee order that Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program, the fees will be made payable to Plaintiff’s attorney. However, if there is a debt owed under the

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<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d), the Court substitutes Nancy A. Berryhill, the Acting Commission of Social Security Administration, as the defendant in this action.

Treasury Offset Program, the remaining EAJA fees after offset will be paid by a check made out to Plaintiff but delivered to Plaintiff's attorney.

**IT IS ORDERED.**

DATED this 27th day of March, 2017.

  
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TIMOTHY J. CAVAN  
United States Magistrate Judge